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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/625,829	07/22/2003	Benjamin D. Pless	N09-03	8959
26876	7590	01/29/2007		
NEUROPACE, INC. 1375 SHOREBIRD WAY MOUNTAIN VIEW, CA 94043			EXAMINER HOANG, TU BA	
			ART UNIT	PAPER NUMBER
			2832	
			MAIL DATE	DELIVERY MODE
			01/29/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

# Notice of Abandonment

Application No.

10/625,829

Examiner

Tu Ba Hoang

Applicant(s)

PLESS ET AL.

Art Unit

2832

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

This application is abandoned in view of:

1. ☐ Applicant's failure to timely file a proper reply to the Office letter mailed on \_\_\_\_\_.
  - (a) ☐ A reply was received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the period for reply (including a total extension of time of \_\_\_\_\_ month(s)) which expired on \_\_\_\_\_.
  - (b) ☐ A proposed reply was received on \_\_\_\_\_, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection.  
(A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
  - (c) ☐ A reply was received on \_\_\_\_\_ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
  - (d) ☐ No reply has been received.
2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
  - (a) ☐ The issue fee and publication fee, if applicable, was received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
  - (b) ☐ The submitted fee of \$\_\_\_\_\_ is insufficient. A balance of \$\_\_\_\_\_ is due.  
The issue fee required by 37 CFR 1.18 is \$\_\_\_\_\_. The publication fee, if required by 37 CFR 1.18(d), is \$\_\_\_\_\_.
  - (c) ☐ The issue fee and publication fee, if applicable, has not been received.
3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
  - (a) ☐ Proposed corrected drawings were received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the period for reply.
  - (b) ☐ No corrected drawings have been received.
4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6. ☐ The decision by the Board of Patent Appeals and Interference rendered on \_\_\_\_\_ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7. ☒ The reason(s) below:

A petition was granted on December 06, 2006, in which the application is being revived solely for purposes of continuity with Application No. 11/436,189. As continuity has been established by the decision, the application is again abandoned in favor of continuing application No. 11/436,189.

Tu Ba Hoang  
Primary Examiner  
Art Unit: 2832

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.



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OFFICE OF PETITIONS

NEUROPACE, INC.  
1375 SHOREBIRD WAY  
MOUNTAIN VIEW, CA 94043

In re Application of  
Benjamin D. Pless, et al.  
Application No. 10/625,829  
Filed: July 22, 2003  
Docket No. N09-03

ON PETITION

This is a decision on the petition filed May 16, 2006, under 37 CFR 1.137(b) to revive the above-identified application for copendency with a continuing application.

There is no indication that the person signing the instant petition was ever given a power of attorney or authorization of agent to prosecute the above-identified application. However, in accordance with 37 CFR 1.34(a), the signature of Mika Mayer appearing on the petition shall constitute a representation to the United States Patent and Trademark Office that he is authorized to represent the particular party on whose behalf he acts. However, if Mr. Mayer desires to receive future correspondence regarding this application, the appropriate power of attorney or authorization of agent must be submitted. A courtesy copy of this decision is being mailed to petitioner. Nevertheless, all future correspondence regarding this application file will be directed solely to the address of record.

The petition is **GRANTED**.

This application became abandoned for a failure to respond to a non-final Office action mailed May 26, 2004. A Notice of Abandonment was subsequently mailed on February 8, 2005.

The application is being revived solely for purposes of continuity with Application No. 11/436,189 filed May 16, 2006. As continuity has been established by this decision reviving the above-identified application, the application is again abandoned in favor of continuing application No. 11/436,189.